

Message

From: Messina, Edward [Messina.Edward@epa.gov]
Sent: 1/8/2021 10:10:55 PM
To: Aubee, Catherine [Aubee.Catherine@epa.gov]; Picone, Kaitlin [Picone.Kaitlin@epa.gov]
CC: Nesci, Kimberly [Nesci.Kimberly@epa.gov]; O'Neill, Sandra [O'Neill.Sandra@epa.gov]; Goodis, Michael [Goodis.Michael@epa.gov]; Siedschlag, Gregory [Siedschlag.Gregory@epa.gov]; Echeverria, Marietta [Echeverria.Marietta@epa.gov]
Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

Yes. I can.

Ed Messina, Esq.
Acting Office Director
Office of Pesticide Programs
Office of Chemical Safety & Pollution Prevention
U.S. Environmental Protection Agency
Washington, D.C.
p: (703) 347-0209

From: Aubee, Catherine <Aubee.Catherine@epa.gov>
Sent: Friday, January 08, 2021 4:56 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Cc: Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: Re: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

Sounds like a plan. Thank you! Please ping my personal cell Ex. 6 Personal Privacy (PP) if anything urgent pops up over the weekend.

Best,
Catherine
Associate Director
OPP Registration Division
US Environmental Protection Agency

On Jan 8, 2021, at 4:37 PM, Picone, Kaitlin <Picone.Kaitlin@epa.gov> wrote:

Thanks Catherine. It sounds like we are now aiming for 1/13 for the call w/Regions and 1/14 for states and CLA so the good news is there's a little more time.

Will include this group on the invites—let me know if there are others for OPP that should be included.

Also Ed-Are you speaking to SFIREG as well? Just want to confirm.

Thanks,
Kaitlin

From: Aubee, Catherine <Aubee.Catherine@epa.gov>
Sent: Friday, January 8, 2021 4:26 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

Hi Kaitlin,

We heard at 1:30PM that there may be a follow-up call with Clarke on Monday afternoon at 2PM Eastern. That may affect our messaging, so I think it would make sense for any calls with the Regions and States to be after that.

Others, please weigh in if you have newer information.

Best,
Catherine

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Friday, January 08, 2021 3:04 PM
To: Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Cc: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

In a meeting starting now on comms planning. Let me know if I should forward to anyone that can attend now if something has changed.

From: Nesci, Kimberly <Nesci.Kimberly@epa.gov>
Sent: Friday, January 8, 2021 2:47 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Cc: O'Neill, Sandra <ONeill.Sandra@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

This seems to have changed based on the call between Alex and Clarke earlier today. Ed & Mike, what do you think?

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Friday, January 8, 2021 1:01 PM
To: Messina, Edward <Messina.Edward@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>

Cc: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>

Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

For awareness, below is the draft message going out with the calendar invite—please let me know if OPP has any concerns. Also OECA seems open to moving to Tuesday to allow a bit more prep time—let me know if that's the preference.

Thanks,
Kaitlin

This meeting is to discuss imminent enforcement actions related to PFAS that has been detected in a pesticide in wide use for mosquito control in Region 1. The Ft. Meade lab sampled over the holidays and the data appears to indicate PFAS is leaching from plastic containers into the pesticide. We understand that one product is registered in over 20 states, but there may be more. Attached please find important background information for this meeting, including a chronology of events.

OECA is planning to issue a **Ex. 5 Deliberative Process (DP)** next week. This requires coordination with all 10 Regions and their member States on an appropriate response and communication strategy. OECA and OCSPP will lead this joint call with ECAD, ORC, and LCARD. A separate call with State co-regulators is planned for Monday afternoon. If you are unable to attend this meeting, please assign a delegate to participate in your absence.

From: Messina, Edward <Messina.Edward@epa.gov>

Sent: Friday, January 8, 2021 12:22 PM

To: Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>

Cc: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>

Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

Thanks. Some background on the Enviro testing and letter would help as a timeline. Greg's shop has some of that in their Q&A document.

Ed

Ed Messina, Esq.
Acting Office Director
Office of Pesticide Programs
Office of Chemical Safety & Pollution Prevention
U.S. Environmental Protection Agency
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From: Nesci, Kimberly <Nesci.Kimberly@epa.gov>

Sent: Friday, January 08, 2021 12:20 PM

To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Cc: O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

Yes, and I think the talking points provided for Alex's meeting with OECA get us 95% there on the lab work. Anyone, is there anything else you think we should add on the lab stuff?

- OPP's Analytical Chemistry Lab (ACB) has been testing Clarke product (Anvil 10+10), and both fluorinated and un-fluorinated High Density Polyethylene (HDPE) containers for the presence of PFAS compounds.
- ACB is also in the process of developing a method for quantitative detection of PFAS in oily substances
- With regards to containers, ACB rinses containers with a solvent to determine the presence of PFAS. ACB has found the following:
 - Fluorinated containers provided by Clarke do contain PFAS
 - Unfluorinated containers provided by Clarke showed trace amounts of PFAS (near the limit of detection for the equipment used); ACB is investigating this, and it may be cross-contamination rather than the unfluorinated containers themselves, based on the small levels and the nature of the PFAS compounds.
- With regards to Anvil 10+10, ACB has found the following:
 - Clarke sample from the production line is cleaner (in terms of PFAS) than those that have been stored in containers (30-gallon drum and 2.5-gallon jug)
 - Sample of Clarke product directly from production line shows trace level of some PFAS and could be attributed to cross contamination
 - Samples of Clarke product stored in fluorinated containers (30-gallon drum and 2.5 gallon jug) show higher levels of PFAS (3-4x higher than production sample). However, the number of PFAS compounds found in the samples and their respective levels are ~100 fold less than the ones in the rinsates.
- Based on this, ACB hypothesizes that PFAS may be formed in the process of fluorinating High Density Polyethylene (HDPE) containers then leach into the Anvil 10+10 product. There is a plausible chemical pathway for this to occur. At this point, ACB does not have enough data to determine the leaching rate of PFAS from containers onto the products.
- OPP is aware that many companies use fluorinated HDPE containers to store and distribute pesticide products. OPP is working closely with OPPT and OECA. OECA is seeking additional information from the company Clarke uses to fluorinate their containers: Ex. 5 Deliberative Process (DP).
- It is unclear at this point:
 - whether this may be happening to other products, pesticide products and otherwise.
 - whether this is specifically as a result of the process that Ex. 5 Deliberative Process (DP) uses or can happen with any HDPE fluorination process.

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Friday, January 8, 2021 11:44 AM
To: Aubee, Catherine <Aubee.Catherine@epa.gov>
Cc: Nesci, Kimberly <Nesci.Kimberly@epa.gov>; O'Neill, Sandra <O'Neill.Sandra@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

No I will follow up. I'd offer to assist on points, but given the technical nature of these and shortness on time, I'm not sure that would be helpful. Is BEAD best suited to take the lead given the lab's involvement?

From: Aubee, Catherine <Aubee.Catherine@epa.gov>
Sent: Friday, January 8, 2021 11:14 AM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Cc: Nesci, Kimberly <Nesci.Kimberly@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Subject: RE: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

Thanks, Kaitlin. Did you get a response on this? Who will hold the pen on OCSPP talking points? I'm thinking the BEAD work will be helpful to highlight.

Best,
Catherine

From: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Sent: Friday, January 08, 2021 9:24 AM
To: Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Mosby, Jackie <Mosby.Jackie@epa.gov>; Gray, Shawna <Gray.Shawna@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; O'Neill, Sandra <ONeill.Sandra@epa.gov>
Subject: OCSPP Speaking Request: Joint OECA/OCSPP call Monday Regions/States re: PFAS in Pesticides for Mosquito treatment

Morning Carol Ann & Ed-

I wanted to alert you that Beth Garcia has looped us in on an OECA/regional call being scheduled for Monday regarding the upcoming (1/13) Ex. 5 Deliberative Process (DP) for a Clarke mosquitocide product and associated Ex. 5 Deliberative Process (DP) related to PFAS. Per Beth's note, the focus is on OECA's role, but a discussion of OCSPP's participation to date would be helpful. RD & BEAD are coordinating talking points. Could Alex or Rick be available to speak for OCSPP?

We will schedule a call with SFIREG to follow once the call with regions is scheduled.

Thanks,
Kaitlin

From: Garcia, Beth <garcia.beth@epa.gov>
Sent: Thursday, January 7, 2021 7:09 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Cc: Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Subject: RE: Joint OECA/OCSPP call next week with Regions/States re: PFAS in Pesticides for Mosquito treatment

Kaitlin:

Pressed send too quick. While the primary goal of the call is to discuss the Ex. 5 Deliberative Process (DP) related to PFAS, it would also be helpful to know what OCSPP's portion of the call would cover, e.g. how this issue was discovered, the lab results and potential next steps?

Thanks,
Beth

From: Garcia, Beth
Sent: Thursday, January 07, 2021 6:58 PM
To: Picone, Kaitlin <Picone.Kaitlin@epa.gov>
Cc: Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Subject: Joint OECA/OCSPP call next week with Regions/States re: PFAS in Pesticides for Mosquito treatment
Importance: High

Hi Kaitlin:

Mike Bellot from OECA has reached out to me and OECA's Lead Region Coordinators (LRCs) (Joe Wilwerding/Abby Dean) to coordinate a joint OECA/OCSPP call for the regions and states next week because they are planning on issuing a **Ex. 5 Deliberative Process (DP)** to Clarke company, who provides Anvil, and a **Ex. 5 Deliberative Process (DP)** next Wednesday, 1/13/21. I've attached a 1-pager and email chain from OECA for background.

OECA would like to have a joint call next week on Monday (1/11) (pending speaker availability), led by OECA and OCSPP for the Regional Directors Land, Chemicals and Redevelopment Division (LCRD), Enforcement Compliance Assurance Division (ECAD) and Office of Regional Councils (ORC) with all 10 Regions and the states next week. Susan Bodine asked whether it would be possible to have the call with the Regions in morning and the States in the afternoon of the same day to streamline the communication.

Currently OECA's LRCs are taking the lead on coordinating the regional call with my feedback. Would your group be able to coordinate the States call with SFIREG?

Who would be able to speak for the OCSPP portion of the regional and state calls?

Thank you for your assistance! Please let me know if you have any questions.

Sincerely,
Beth

<image001.gif>

Beth Garcia
Office of Chemical Safety & Pollution Prevention
Lead Region Coordinator
U.S. EPA Region 3 | Philadelphia, PA
(215) 814-5243 | garcia.beth@epa.gov

From: Bellot, Michael <Bellot.Michael@epa.gov>
Sent: Thursday, January 07, 2021 2:56 PM
To: Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>; Dean, Abigail <Dean.Abigail@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>; Bohan, Suzanne <bohan.suzanne@epa.gov>
Cc: Saenz, Diana <Saenz.Diana@epa.gov>; Miles, James <miles.james@epa.gov>; Teter, Royan <Teter.Royan@epa.gov>
Subject: RE: PFAS in Pesticides for Mosquito treatment

Joe

Thanks – that sounds like a great plan!

Also, we talked with Susan earlier today and she asked whether we could possibly talk with the Regions in the morning and States in the afternoon of the same day to try to streamline the communication. Although, I am not exactly sure how the coordination with our State co-regulators works in this type of situation. I heard this is something that is done more routinely on the Program side, so perhaps Beth has some insight here?

Ex. 5 Deliberative Process (DP)

I am fine with you pulling together the email from the materials, setting up the meeting and framing the ask. We are sprinting around here in a lot of directions right now.

As always, many thanks!

From: Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>
Sent: Thursday, January 7, 2021 2:19 PM
To: Bellot, Michael <Bellot.Michael@epa.gov>; Dean, Abigail <Dean.Abigail@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>; Bohan, Suzanne <bohan.suzanne@epa.gov>
Cc: Saenz, Diana <Saenz.Diana@epa.gov>; Miles, James <miles.james@epa.gov>; Teter, Royan <Teter.Royan@epa.gov>
Subject: RE: PFAS in Pesticides for Mosquito treatment

Hi Mike, the feedback from a couple of Regional ECAD Directors is a joint call, led by OECA and OCSPP, for LCARDs, ECADs and ORCs would be a great idea. It sounds like some of the ECAD Directors are working in lock-step with their LCARD Directors. Does a joint call sound good to you?

If so, then next steps would seem to be:

- Joe/Abby work with Beth to get a date/time selected soonest.
- Distribute an email to all the parties with your talking points to tee-up the meeting
 - Mike draft the email? Or would you prefer we take a stab based on the below and send to you for review?
 - Beth and Abby/Joe distribute to our communities
 - Beth or Abby or Joe send the actual meeting invitation (from one source)

Let us know on the larger, joint-meeting question and any of the next steps when you can. Thanks,
Joe

Joe Wilwerding

OECA Lead Region Coordinator
USEPA Region 8, Enforcement and Compliance Assurance Division
1595 Wynkoop Street, Denver, CO 80202-1129
O: 303-312-6729, C: 720-892-8392, wilwerding.joseph@epa.gov

From: Bellot, Michael <Bellot.Michael@epa.gov>
Sent: Thursday, January 7, 2021 10:05 AM
To: Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>; Dean, Abigail <Dean.Abigail@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>

Cc: Saenz, Diana <Saenz.Diana@epa.gov>; Miles, James <miles.james@epa.gov>; Teter, Royan <Teter.Royan@epa.gov>

Subject: PFAS in Pesticides for Mosquito treatment

Abby/Joe

I hope you are well and thriving.

Ex. 5 Deliberative Process (DP)

OECA is planning to issue a **Ex. 5 Deliberative Process (DP)** next week. This means we need to coordinate with all 10 Regions and their member States on an appropriate response and a coordinated communication strategy. We understand that one product is registered in over 20 States, but there may be more.

I understand that OCSPP will be reaching out to Beth Garcia (who I am copying) to set up a meeting for the program side and we thought it might make sense to have one call with ECADs as well. I am attaching a dated briefing sheet for some background while we update with a more current version.

Let me know your thoughts/recommendations for the best way to coordinate on this.

Oh, happy New Year...